

EXHIBIT S

In the Matter Of:

UNITED STATES vs STATE OF GEORGIA

1:16-CV-03088-ELR

PATRICIA J. WOLF

October 06, 2022



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1 issue, was there some other reason?

2 A It was a budget issue. So the numbers were so
3 low in Hancock County and we had needs in other places
4 so that teacher had to be reassigned to a different
5 location so that we can serve those students in the
6 most efficient budget-wise.

7 Q Understood. Has GNETS of Oconee always served
8 students in multiple sites?

9 A Not always. We were a center-based program
10 approximately six years ago where we had a center base
11 and then we had one satellite classroom out in Johnson
12 County.

13 Q When did GNETS of Oconee make the transition
14 from center-based to entirely school-based?

15 A Approximately six years ago.

16 Q So sometime around 2016?

17 A I think so.

18 Q What was the reason for that transition?

19 A The board at the time felt that they would be
20 best served in the local school systems. The
21 Department of Education in Georgia basically told us
22 that we would have to move out of the facility. There
23 was not another facility for us to move into, so the
24 board decided that we should be spread out.

25 Q When you say board, are you referring to the

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1 RESA Board of Control?

2 A Yes.

3 Q You said that the Georgia Department of
4 Education told you that you would have to move out of
5 the facility; is that right?

6 A Yes, the State Board.

7 Q Did the State Board give a reason as to why
8 GNETS of Oconee had to move out of the center facility?

9 A One of the facilities which was a cafeteria
10 was a very old building and they felt it wasn't
11 suitable for students.

12 Q Has GNETS of Oconee considered any changes to
13 its multi-site structure?

14 A In what way?

15 Q Have you considered going back to a center
16 model?

17 A As far as GNETS of Oconee, I know the board
18 has discussed possibly working together for a
19 center-based model. Baldwin County has discussed
20 having a center-based model for those students, but
21 nothing has been, you know, there's no decision has
22 been made to actually do that.

23 MS. GARDNER: I am going to hand to the court
24 reporter what I'd like to have marked as
25 Plaintiff's Exhibit 465.

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1 January 4, 2018 email, other GNETS directors?

2 A Yes.

3 Q So in Ms. Cleveland's email, she says, "See
4 the attached GNETS systemic reintegration planning
5 document. This document will provide guidance for LEAs
6 that may be considering a large
7 reintegration/relocation process."

8 Do you see that?

9 A Yes.

10 Q In your response to Ms. Cleveland, you say,
11 "Our program is already in year two of the
12 reintegration into our system after our facility was
13 closed in 2016."

14 A Yes.

15 Q "I am assuming that we do not have to do this
16 since we have worked through all of these issues
17 already but I wanted to make sure."

18 Do you see that?

19 A I do.

20 Q When you reference the reintegration into your
21 system after your facility was closed, what are you
22 referring to in terms of reintegration?

23 A Having students move from a center-based model
24 to being served in the schools.

25 Q I assume that the reference here to the

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1 facility closing is what we just discussed with the
2 State Department of Education telling GNETS of Oconee
3 that the building was unsuitable?

4 A Correct.

5 Q How did that process of the State Department
6 of Education telling unfold?

7 A It wasn't the Department of Education, it was
8 the State Board, State Education Board.

9 Q The State Education Board?

10 A As I understood it.

11 Q Did GNETS of Oconee receive a letter from the
12 State Board of Education about this?

13 A I don't remember a letter. I remember, I'm
14 trying to think of how we found out. It was a State
15 Board presentation that said that nine facilities would
16 be closing. I don't remember getting an official
17 letter.

18 Q Have there been any sort of facilities
19 inspection of the GNETS of Oconee center prior to your
20 being notified that the center needed to be closed?

21 A Yes, there was an independent contractor that
22 came in and toured the facility, took pictures, things
23 like that.

24 Q Was GNETS of Oconee required to complete a
25 reintegration plan at the time the facility was closed?

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1 A To be honest, I don't remember the
2 reintegration plan.

3 Q You said that there were independent
4 contractors who conducted a facility inspection. Were
5 those independent contractors working for the Georgia
6 Department of Education?

7 A I don't know who they worked for.

8 MR. NGUYEN: At a good breaking point, can we
9 break?

10 MS. GARDNER: Just after this document, we can
11 break.

12 MR. NGUYEN: That's fine.

13 MS. GARDNER: I would like to have the court
14 reporter please mark this document as Plaintiff's
15 Exhibit 466.

16 (Plaintiff's Exhibit 466 was marked for
17 identification.)

18 (Witness reviewing document.)

19 BY MS. GARDNER:

20 Q Ms. Wolf, you have been handed what has been
21 marked as Plaintiff's Exhibit 466. This is an email
22 from you to Vickie Cleveland dated April 8, 2019 with
23 the subject: Forward: Possible regional GNETS center
24 visit. The first page of this document is Bates
25 stamped GA00343802.

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1 Do you recognize this?

2 A I do.

3 Q In this email, you forward an earlier email
4 that you received to Ms. Cleveland, correct?

5 A Yes.

6 Q Am I correct in understanding that that
7 earlier email is an email from Hayward Cordy to you and
8 to Vickie Cleveland also dated April 8, 2019?

9 A Yes.

10 Q Who is Hayward Cordy?

11 A At the time he was the Oconee RESA director.

12 Q So at the time he would have been the person
13 you reported directly to?

14 A Yes.

15 Q I think you said as pertained to fiscal and
16 personnel issues earlier?

17 A Yes.

18 Q In the email Hayward Cordy says, "Good
19 afternoon, Pat. I recently heard back from Dr. Price,
20 Baldwin County Superintendent of Schools regarding a
21 tour of Sandersville Elementary School as a possible
22 GNETS regional center location. She is interested in
23 touring the facility."

24 Do you see that?

25 A Yes.

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1 Q And farther down, Hayward Cordy says, "I am
2 copying Ms. Vickie Cleveland on this email in the hope
3 that she and someone from the GaDOE Facilities Division
4 will be able to participate in the building
5 walk-through. As learned from our visit, the wing that
6 we are interested in was built in 1995 and has a
7 current certificate of occupancy and working fire alarm
8 system and is ADA compliant."

9 Do you see that?

10 A I do.

11 Q At the time was Sandersville Elementary School
12 being considered as a possible site for a regional
13 center within GNETS of Oconee?

14 A It was, yes.

15 Q Had there been any discussion as to the role
16 that center would play if it were opened?

17 A It would, if it were opened, it would be a
18 regional program similar to the center-based model.

19 Q That you had previously had?

20 A Yes.

21 Q Had you visited Sandersville Elementary School
22 at the time you received this email?

23 A Yes.

24 Q When you visited Sandersville Elementary
25 School before receiving this email, were you visiting

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1 it with anyone else?

2 A Dr. Cordy visited it with me.

3 Q Was that facility in terms of the area that
4 GNETS of Oconee was considering, was it a wing of a
5 larger building that you were considering using?

6 A It was, yes.

7 Q Was the remainder of that building actively
8 being used as an elementary school?

9 A No.

10 Q Was it being used for anything?

11 A It was being used for some community affairs
12 things. I don't remember the specific name of the
13 program.

14 Q Was there any sort of alternative school in
15 that building?

16 A Not that I'm aware of.

17 Q This email says that Dr. Price is interested
18 in touring the facility. Did you understand why Dr.
19 Price was interested in doing that?

20 A She was determining whether she wanted to have
21 her students sent to the program, to that center-based
22 model.

23 Q Hayward Cordy here expresses a hope that
24 Vickie Cleveland and someone from the Georgia DOE
25 Facilities Division would be able to participate in Dr.

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1 Price's walk-through. Did you share that hope?

2 A That they would approve the facility?

3 Q That they would participate in the
4 walk-through.

5 A I really didn't have an opinion on whether
6 they participated or not.

7 Q Did Hayward Cordy discuss with you at all why
8 he hoped that someone from the Georgia Department of
9 Education Facilities Division would be able to visit?

10 A Because if they were going to go to a
11 center-based model, it would have to be approved by the
12 Department of Education and the Facilities.

13 Q So that was the reason for asking Vickie
14 Cleveland and somebody from the State Department of
15 Education Facilities Division to participate in the
16 walk-through?

17 A As I understood it, yes.

18 Q Did you receive a reply from Ms. Cleveland to
19 your email asking her if she could attend the tour?

20 A I do not recall.

21 Q Do you recall whether Ms. Cleveland or anybody
22 from the Georgia Department of Education Facilities
23 Division actually visited Sandersville Elementary
24 School?

25 A I do not believe they did.

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1 section, the very last sentence there says, "For
2 children receiving in-class services, local schools are
3 actively involved and exit criteria are developed upon
4 entry into the GNETS program."

5 Do you see that?

6 A Yes.

7 Q What does it mean when it says local schools
8 are actively involved?

9 A That refers to the IEP team having the local
10 educational authority along with the other members of
11 the IEP team to determine what the student's IEP goals,
12 what they are to meet on their IEP goals in order to
13 exit the GNETS program.

14 Q So those exit criteria are developed by the
15 IEP team?

16 A Yes.

17 Q Are all of those criteria individualized?

18 A Yes, based on whether that student meets the
19 IEP goals, yes.

20 Q Are there any exit criteria that apply across
21 the board to all GNETS of Oconee students?

22 A In terms of their behaviors, what we recommend
23 is that they have a certain period of time on what we
24 call green level before they would be able to start
25 transitioning back to their home. So that's typically

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1 in our IEPs.

2 Q When you say that a student has a certain
3 period of time on a green level, what does being on a
4 green level mean?

5 A That would be in their class dojo which is a
6 computerized behavior management data collection
7 system. We recommend that 80 percent or above is green
8 level and that a student be able to maintain that
9 80 percent or above for six consecutive weeks.

10 Q Does the 80 percent or above refer to the
11 percentage of time that a student is behaving
12 appropriately?

13 A The positive behaviors that they are
14 displaying, yes.

15 Q Is there any sort of exit criteria applying
16 across the board that has to do with a student's
17 ability to successfully transition out into a general
18 education environment for some period of time?

19 A I'm not sure I understand the question.

20 Q Let me rephrase that. For students in GNETS
21 of Oconee, are there ever circumstances where students
22 have the ability to push out of in-class services into
23 a classroom and general education environment for some
24 period of time during the day?

25 A Yes, absolutely.

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1 the LEAs that GNETS of Oconee serves?

2 A No.

3 Q Do you currently have any paraprofessionals
4 who are funded by those LEAs?

5 A No.

6 Q Do you still have twelve paraprofessionals?

7 A I think we have 13 paraprofessionals now in
8 this staffing pattern, but then, like we talked about
9 earlier, the vacancies.

10 Q I believe you said you have five or six
11 vacancies; is that correct?

12 A Yes.

13 Q Is the breakdown roughly the same in terms of
14 the number of your paraprofessionals whose funding
15 comes from the State grant relative to the Federal
16 grant?

17 A It is.

18 Q What about your profession as director, it is
19 not listed in this chart. How is your position funded?

20 A My position is funded through the State grant.

21 MS. GARDNER: I'd like to have the court
22 reporter mark this document as Plaintiff's
23 Exhibit 470.

24 (Plaintiff's Exhibit 470 was marked for
25 identification.)

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1 mark this document as Plaintiff's Exhibit 478.

2 (Plaintiff's Exhibit 478 was marked for
3 identification.)

4 (Witness reviewing document.)

5 BY MS. GARDNER:

6 Q Ms. Wolf, you have been handed what has been
7 marked as Plaintiff's Exhibit 478. This is an email
8 thread between you and Vickie Cleveland. The most
9 recent email in this thread is from Vickie Cleveland to
10 you dated June 13, 2018. The subject line is "Re:
11 Social Workers."

12 Do you recognize this email?

13 A I don't recall this email, but I recognize it
14 as mine, yes.

15 Q If you could turn to the first email in time
16 in the thread which begins on the second page of this
17 document.

18 A (Indicating affirmatively.)

19 Q Am I correct in understanding from this that
20 Vickie Cleveland reached out to you and Desiree Woods
21 to ask whether the two of you shared a social worker
22 for the FY18 school year?

23 A Yes.

24 Q Who is Desiree Woods?

25 A A fellow GNETS director now retired.

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1 Q Which program was she the GNETS director for?

2 A DeKalb Rockdale.

3 Q Ms. Cleveland also asked the two of you
4 whether you will still need a reimbursement for the
5 social worker for FY19, correct?

6 A Correct.

7 Q How did you respond to Ms. Cleveland's
8 question?

9 A I would have said that, yes, we did need
10 additional therapeutic support funding.

11 Q So in your email responding to Ms. Cleveland,
12 you say, "We definitely need an extra therapeutic
13 support person."

14 Is that correct?

15 A Yes.

16 Q You go on to say, "Can we find our own people,
17 though, and not use Staff Rehab or another agency?"

18 Do you see that?

19 A Yes.

20 Q What's Staff Rehab?

21 A Staff Rehab was a privately run therapeutic
22 agency that would provide support to school systems.

23 Q Had you been required to use Staff Rehab
24 before?

25 A Initially, I don't know that it was a

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1 requirement, but I can't remember how Staff Rehab
2 became involved. That's what we were told to refer
3 through initially, but they really didn't know a lot --
4 I can't remember if it was an individual person. I
5 can't remember the person at all.

6 But I remember that they weren't really
7 trained in how to work with our population. And that's
8 why I was asking.

9 Q You said Staff Rehab is what you were told to
10 refer through initially. Who told you to refer through
11 Staff Rehab initially?

12 A I don't know that Vickie told us that we had
13 to use Staff Rehab. I think that was one of the
14 resources that she suggested. And Ms. Woods had used
15 them in the past as well, so I don't know if other
16 GNETS programs use that same agency or not. I know it
17 wasn't working out with us.

18 Q In here you are asking Vickie Cleveland
19 whether you can not go that route and can instead find
20 your own person?

21 A Correct.

22 Q What was the outcome of that question? How
23 did that get resolved?

24 A I believe that we were able to, that we were
25 allowed to. I don't know if she had emailed me back or

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1 we had a phone conversation, but the answer was yes,
2 essentially.

3 Q You mentioned that one of the issues with
4 Staff Rehab was that they weren't really experienced in
5 working with your population?

6 A Yes.

7 Q When you say your population, what
8 specifically are you referring to?

9 A Students with the most severe behavior and
10 emotional needs. They weren't at the level that they
11 would be able to handle a crisis or even do crisis
12 intervention with them, so.

13 MS. GARDNER: I ask the court reporter to mark
14 this document as Plaintiff's Exhibit 479.

15 (Plaintiff's Exhibit 479 was marked for
16 identification.)

17 (Witness reviewing document.)

18 BY MS. GARDNER:

19 Q You have been handed what has been marked as
20 Plaintiff's Exhibit 479. This is another email thread
21 between you and Vickie Cleveland. The most recent
22 email on this thread is an email from Vickie Cleveland
23 to you dated July 24, 2018. The subject is "Re:
24 Therapeutic Services Reimbursement for Social Workers,"
25 and there is one attachment which is a Word document

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1 with the file name GNETS Contracted Social Worker.

2 The first page of this document has a Bates
3 stamp of GA00329465. Do you recognize this email
4 thread?

5 A I recognize it as being mine. I don't
6 particularly remember it, but yes.

7 Q I want to look at the earliest email in this
8 thread which starts on the second page. Do you see
9 where Ms. Cleveland writes to you and others and says,
10 "The SBOE approved the reimbursements for therapeutic
11 services for social workers for FY19"?

12 A Yes.

13 Q This is the same social worker you were
14 discussing with Ms. Cleveland in the last email
15 exchange we reviewed in Plaintiff's Exhibit 478?

16 A I'm not sure if it's the same one.

17 Q Am I correct that SBOE here refers to the
18 State Board of Education?

19 A Yes.

20 Q Ms. Cleveland goes on to write later on, "I am
21 working on data collection deliverables that the SWs
22 will have to send to GaDOE quarterly regarding services
23 this school year."

24 Do you see that?

25 A Yes.

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1 Q Does GNETS of Oconee still submit that sort of
2 data to the Department of Education today?

3 A Yes.

4 Q For which positions on your staff do you
5 submit that data currently?

6 A Primarily from Ms. Brundage, the licensed
7 clinical social worker.

8 Q Do you still submit that data to Ms.
9 Stevenson?

10 A Yes.

11 Q On a monthly basis?

12 A Yes.

13 Q Turning back to the first page of the document
14 which is your response to Ms. Cleveland, you say here,
15 "Are there any protocols about who we contract with?
16 Can we contract directly with a licensed individual
17 rather than using a hiring agency?"

18 Do you see that?

19 A Yes.

20 Q This question is similar in nature to your
21 question about whether you have to use Staff Rehab; is
22 that right?

23 A Yes.

24 Q How did Ms. Cleveland respond to your
25 question?

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1 A I don't recall whether she responded in a
2 written fashion, but the answer was yes, that we could
3 use another agency.

4 Q Ms. Cleveland sends you an email in response
5 to your email on this thread, correct?

6 A Yes.

7 Q She says, "Please send me the resume for the
8 candidate. I have also attached a draft of the social
9 worker responsibilities that I am working on with some
10 of the expectations for services."

11 Correct?

12 A Correct.

13 Q Did you send Ms. Cleveland a resume for the
14 candidate?

15 A I believe so, but as I'm thinking about it,
16 I'm not even sure what the candidate's name was.

17 Q Did you review the draft of the social worker
18 responsibilities that Ms. Cleveland forwarded to you in
19 this email?

20 A Yes.

21 Q What did you do with that draft, if anything?

22 A I believe from the draft, created the job
23 description for that social worker.

24 Q When you say for that social worker, you are
25 talking about the social worker that GNETS of Oconee

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1 ultimately hired?

2 A Yes.

3 Q Ms. Cleveland says in her email that she will
4 share more at an August meeting.

5 Do you see that?

6 A Yes.

7 Q Were these social worker responsibilities
8 discussed at an August meeting?

9 A I don't recall.

10 Q Turning to the attachment that Ms. Cleveland
11 included in her email to you, do you see the section
12 titled General Responsibilities?

13 A Yes.

14 Q In the second paragraph about midway through
15 it says, "Further, the social worker aligns their daily
16 tasks with the identified needs outlined in the GNETS
17 needs assessment submitted to GaDOE. Daily assignments
18 must focus on assisting students with problem solving,
19 conflict resolution and elevated mental health
20 concerns."

21 Do you see that?

22 A Yes.

23 Q Is the needs assessment mentioned here the
24 kind of needs assessment that we reviewed earlier?

25 A I believe so.

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1 referred to GNETS of Oconee?

2 A So initially in terms of the special ed
3 continuum, this would be a student that they tried in
4 the general education environment and the student had
5 behavior problems so they would move to a perhaps
6 resource setting followed by a self-contained setting
7 and still have significant behavioral difficulties and
8 challenges. And at that point the IEP team would
9 complete a consideration of services for GNETS.

10 They would convene a team meeting and we would
11 discuss it, whether that is appropriate for that
12 particular student, and if so, at that point decide, do
13 we want to consider other services for that student or
14 consider a part-time placement or a full-time
15 placement.

16 Generally, it's a full-time placement based on
17 the severity of the behaviors which are typically the
18 reasons that kids are being referred to us.

19 MS. GARDNER: I'd like to ask the court
20 reporter to mark this as Plaintiff's Exhibit 482.

21 (Plaintiff's Exhibit 482 was marked for
22 identification.)

23 (Witness reviewing document.)

24 BY MS. GARDNER:

25 Q Ms. Wolf, you have been handed what's been

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1 marked as Plaintiff's Exhibit 482. This is the Georgia
2 Network for Educational and Therapeutic Support
3 confidential student information packet. Do you
4 recognize this document?

5 A I do.

6 Q I believe earlier in discussing the referral
7 process you mentioned a consideration of services
8 packet, is that how you referred to it?

9 A Yes.

10 Q Is this a part of that?

11 A Yes.

12 Q Is this document what you were referring to?

13 A Yes.

14 Q Did you create this document?

15 A Yes, I, along with several directors, created
16 it.

17 Q How is this document used?

18 A This is the document that the referring
19 parties would fill out providing information on the
20 student along with their progress monitoring and
21 assessment information and so forth and they would
22 provide that when considering GNETS services.

23 Q This document on the first page says, "Please
24 review the guiding questions for consideration of GNETS
25 services as well as the GNETS services flow chart to

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1 assist in appropriate educational planning for the
2 student."

3 Do you see that?

4 A Yes.

5 Q Are you familiar with the guiding questions
6 for consideration of GNETS services?

7 A Yes.

8 Q What is that?

9 A So the guiding questions are, you want to make
10 sure that students aren't referred, for example,
11 without a behavior intervention plan and/or functional
12 behavior assessment. So that's one of the guiding
13 questions whether they have had a psychological
14 evaluation within three years, and whether there have
15 been less restrictive interventions tried.

16 So those are all, it is a pretty extensive
17 document. The guiding questions is more, it's like a
18 four or five-page document that has considerations of
19 what the team should consider prior to referring the
20 student to us. And the flow chart itself just kind of
21 shows the whole procedural aspect.

22 MS. GARDNER: I would like to have this
23 document marked as Plaintiff's Exhibit 483.

24 (Plaintiff's Exhibit 483 was marked for
25 identification.)

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1 (Witness reviewing document.)

2 BY MS. GARDNER:

3 Q Ms. Wolf, you have been handed what's been
4 marked as Plaintiff's Exhibit 483. This is the Georgia
5 Network for Educational and Therapeutic Supports
6 guiding questions for consideration of GNETS services.
7 Do you recognize this document?

8 A Yes, I do.

9 Q Is this the guiding questions we were just
10 discussing?

11 A Yes.

12 Q Did you create this document?

13 A Yes, along with several other directors.

14 Q You mentioned before, I believe, that the
15 guiding questions were intended to ensure that certain
16 things are in place before a student is referred for
17 consideration of GNETS services; is that accurate?

18 A That's accurate.

19 Q I believe one of the things you said that the
20 guiding questions is intended to help with is to ensure
21 that students are not referred without a behavior
22 intervention plan?

23 A Correct.

24 Q Why can a student not be referred without a
25 behavior intervention plan?

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1 A Because you would hope that the IEP team, if
2 the behaviors were that significant, that they would
3 complete a behavior intervention plan to try to put
4 those supports and interventions in place prior to a
5 student being referred to GNETS.

6 Q Is there any rule that requires that?

7 A I believe the Department of Education GNETS
8 rule requires the behavior intervention plan.

9 Q What is the Department of Education's GNETS
10 rule?

11 A It is a rule that the State Department of
12 Education came up with regarding GNETS that we are
13 guided by.

14 Q You mentioned before that the guiding
15 questions were also intended to help ensure that
16 students were not referred without a functional
17 behavior assessment; is that right?

18 A Yes, but in some cases a functional behavior
19 assessment hasn't been done and just the behavior
20 intervention plan.

21 Q So you are saying that sometimes students are
22 referred to GNETS and there has not been a functional
23 behavior assessment but there has been a behavior
24 intervention plan?

25 A Correct.

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1 Q I believe you also referenced a psychological
2 evaluation within three years?

3 A Yes.

4 Q Is that a requirement for placement in GNETS?

5 A Yes, I believe it's part of the rule as well.

6 Q Part of the State rule?

7 A Yes.

8 Q This guiding questions document asks whether
9 the student is currently being served in special
10 education.

11 Do you see that?

12 A Yes.

13 Q It says, "If the answer is no, then GNETS is
14 not an appropriate consideration at this time."

15 Do you see that?

16 A Yes.

17 Q Is current service in special education a
18 requirement for placement in the GNETS program?

19 A Yes.

20 Q Where does that requirement come from?

21 A I believe it's -- I'm not sure if it's in the
22 State rule. I'm not sure where it comes from.

23 MS. GARDNER: I'd like to have this document
24 marked as Plaintiff's Exhibit 484.

25 (Plaintiff's Exhibit 484 was marked for

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1 Q When you say present the final drafts to the
2 rest of the committee --

3 A I mean the rest of the directors. That's what
4 I meant. Sorry.

5 Q Understood.

6 MS. GARDNER: I would like to have the court
7 reporter mark this document as Plaintiff's
8 Exhibit 486.

9 (Plaintiff's Exhibit 486 was marked for
10 identification.)

11 (Witness reviewing document.)

12 BY MS. GARDNER:

13 Q Ms. Wolf, you have been handed what's been
14 marked as Plaintiff's Exhibit 486. This is an email
15 from you to Steve Derr, Whitney Braddock with a cc to
16 Nakeba Rahming dated September 26, 2017.

17 The subject is Consideration of Services and
18 there are three attachments to the email, the GNETS
19 Confidential Student Information Packet, the GNETS
20 Services Flow Chart and Guidance for GNETS Placements.
21 The first page of this document has a Bates stamp
22 GA00793042.

23 Do you recognize this email?

24 A I do.

25 Q I believe you said earlier that Steve Derr and

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1 Whitney Braddock were the other members on the
2 committee with you to develop the consideration of
3 services documents?

4 A Yes.

5 Q Is it fair if I refer to these documents as
6 consideration of services documents?

7 A Sure.

8 Q Will you understand what I mean?

9 A I will.

10 Q In this email, you write to Ms. Braddock and
11 Mr. Derr and you say, "Thanks for being here today. So
12 just to recap, Nakeba wants us to take the attached
13 documents and make sure that they are aligned with the
14 new GNETS rule which can be found at," and you include
15 a link presumably to the new GNETS State rule; is that
16 right?

17 A Yes.

18 Q Did you send this email following a meeting
19 with Ms. Braddock and Mr. Derr?

20 A Yes.

21 Q That was a meeting to discuss the
22 consideration of services documents?

23 A I believe so, yes.

24 Q Did Ms. Rahming participate in that meeting?

25 A I think she did. I think we were in a

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1 directors' meeting and we discussed it and Whitney,
2 Steve and I volunteered to work on that packet. I
3 think that's how it all came about.

4 Q What did it mean for you to make sure the
5 documents were aligned with the new GNETS rule?

6 A Because of the specifics in the rule about
7 having a behavior intervention plan and the
8 psychological within three years, things like that.

9 Q So Ms. Rahming wanted to make sure that the
10 documents you all were drafting would include or be
11 consistent with the terms of that rule?

12 A Correct.

13 Q Did you all do that?

14 A We did.

15 Q So the consideration of services documents
16 that we have looked at earlier are all aligned with the
17 GNETS state rule?

18 A Yes.

19 Q In this email, you also say a bit farther
20 down, "Nakeba will send out her draft of the guidance
21 document."

22 Do you see that?

23 A Yes.

24 Q What is the guidance document that you are
25 saying Ms. Rahming will send out?

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1 A I don't know what that document was.

2 MS. GARDNER: I'd like to have this marked as
3 Plaintiff's Exhibit 487.

4 (Plaintiff's Exhibit 487 was marked for
5 identification.)

6 (Witness reviewing document.)

7 BY MS. GARDNER:

8 Q Ms. Wolf, you have been handed what's been
9 marked as Plaintiff's Exhibit 487. This is an email
10 from you to Nakeba Rahming with a cc to Steve Derr and
11 Whitney Braddock. The subject is Consideration for
12 Services.

13 The email was sent on October 4, 2017 and it
14 attaches several documents, a draft GNETS confidential
15 student information packet, a draft GNETS request for
16 consultation, a draft GNETS services flow chart and a
17 draft guidance for GNETS placements. The Bates stamp
18 on the first page of this document is GA00794159.

19 Do you recognize this document?

20 (Witness reviewing document.)

21 A Yes.

22 Q By the time of this email, had you insured
23 that the consideration of services documents were
24 aligned to the GNETS State rule?

25 A Yes.

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1 Q In this email you are asking for Ms. Rahming's
2 permission to send the documents to other GNETS
3 directors for their review and feedback?

4 A Yes.

5 Q Did you receive the green light from Ms.
6 Rahming to do that?

7 A I did.

8 MS. GARDNER: Let's have this document marked
9 as Plaintiff's Exhibit 488.

10 (Plaintiff's Exhibit 488 was marked for
11 identification.)

12 (Witness reviewing document.)

13 BY MS. GARDNER:

14 Q Ms. Wolf, you have been handed Plaintiff's
15 Exhibit 488. This is an email from you to a large
16 email distribution list sent on October 4, 2017. The
17 subject is Consideration for GNETS Services - Draft of
18 Forms.

19 The email has several attachments including a
20 draft GNETS confidential student information packet, a
21 draft GNETS request for consultation, a draft GNETS
22 services flow chart, and a draft guidance for GNETS
23 placements. The Bates stamp on this is GA00794197.

24 Do you recognize this document?

25 A I do.

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1 Q Is this a copy of the email where you
2 distributed the consideration of services forms to the
3 GNETS directors for their review and feedback?

4 A Yes.

5 Q This email references a webinar to train staff
6 on the use of the documents. Do you see that?

7 A Yes.

8 Q Did that webinar occur?

9 A No, I remember doing it at a face-to-face
10 directors' meeting shortly after but I don't remember
11 the exact date.

12 MS. GARDNER: Let's have this document marked
13 as Plaintiff's Exhibit 489.

14 (Plaintiff's Exhibit 489 was marked for
15 identification.)

16 (Witness reviewing document.)

17 BY MS. GARDNER:

18 Q Ms. Wolf, you have been handed what's been
19 marked as Plaintiff's Exhibit 489. This is an email
20 thread between you and Nakeba Rahming. The most recent
21 email is sent from you to Ms. Rahming on October 24,
22 2017 with the subject "Re: Consideration for GNETS
23 Services Meeting today at one p.m." The Bates stamp on
24 the initial page is GA00132036.

25 If you turn to the last page to the first in

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1 time email, do you see your email to Ms. Rahming on
2 October 24, 2017 at 8:32 a.m. where you say, "Good
3 morning, Nakeba. Are you planning to be online today
4 for the meeting at one p.m. on the Consideration of
5 Services? If not, please let me know what I should
6 tell Directors regarding implementation of these forms.
7 Are they to be implemented immediately, in January or
8 in FY19? I'm sure this question will come up."

9 Do you see that?

10 A Yes.

11 Q So there was a meeting that was going to be
12 occurring on the consideration of services form?

13 A Yes.

14 Q Was that meeting with other GNETS directors?

15 A Yes.

16 Q Here you are reaching out to Ms. Rahming to
17 get clarity about when other GNETS directors should
18 start using the consideration of services forms; is
19 that correct?

20 A Yes.

21 Q Ms. Rahming responds to your email and says,
22 "Yes, I will be on. We can begin implementation at the
23 beginning of a new school year."

24 Do you see that?

25 A Yes.

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1 Q Did she participate in that meeting?

2 A Yes.

3 Q Were those consideration of services forms
4 implemented at the beginning of a new school year?

5 A Yes.

6 Q By beginning of a new school year, is that a
7 reference to the 2018-2019 school year?

8 A Yes.

9 MS. GARDNER: I'd like to have this document
10 marked as Plaintiff's Exhibit 490.

11 (Plaintiff's Exhibit 490 was marked for
12 identification.)

13 (Witness reviewing document.)

14 BY MS. GARDNER:

15 Q Ms. Wolf, you have been handed what's been
16 marked as Plaintiff's Exhibit 490. This is an email
17 from you to Nakeba Rahming dated November 7, 2017. The
18 subject is "Re: Upcoming LEA collaborative meeting for
19 GNETS December 7th," and this email attaches the
20 consideration of services forms. The beginning Bates
21 stamp on this document is GA01941385.

22 Do you recognize this document?

23 A Yes.

24 Q You note in your email to Ms. Rahming that the
25 documents you attach are the final documents and you

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1 ask her if she can have them printed for the
2 participants of the collaborative; is that correct?

3 A Yes.

4 Q What is the collaborative referenced here?

5 A That's all the directors meeting together.

6 Q All of the GNETS directors?

7 A GNETS directors, yes.

8 Q Is that the same as the LEA collaborative
9 meeting that's referenced in the subject line of this
10 email?

11 A Okay, no, that was a meeting that we had the
12 LEAs present where we all came together as the State in
13 Macon. So that's what that collaborative is.

14 Q So this collaborative meeting involved LEAs
15 and GNETS directors?

16 A Yes.

17 Q Did Ms. Rahming participate in that LEA
18 collaborative meeting?

19 A She did.

20 Q If you turn to the second page, do you see the
21 email at the bottom from Matt Jones sent on November 6,
22 2017?

23 A Yes.

24 Q That email was sent to K12 superintendents and
25 RESA directors with a copy to Nakeba Rahming; is that

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1 correct?

2 A Yes.

3 Q In the email Mr. Jones says, "Attached is an
4 agenda for a 2018 fall LEA collaborative meeting held
5 on December 7, 2017 from 9:30 a.m. to 1 p.m. at the
6 Marriott Macon City Center," and then it has the
7 address. Mr. Jones goes on to say, "The purpose of
8 this meeting is to introduce the guidance for the GNETS
9 rule, share a streamlined process with LEAs when they
10 are considering students for GNETS services, and engage
11 GNETS and LEAs in a discussion to plan five regional
12 parent university sessions across the State."

13 Do you see that?

14 A I do.

15 Q So these were the things that were going to be
16 covered at the LEA collaborative meeting that you were
17 forwarding final consideration of services documents
18 forms for?

19 A Yes.

20 Q Did you attend that meeting?

21 A Yes.

22 Q Who is Matt Jones?

23 A The chief of staff of the Department of
24 Education.

25 Q Did Mr. Jones attend this LEA collaborative

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1 meeting?

2 A I believe so, yes.

3 Q Did anyone else from the State Department of
4 Education attend the collaborative meeting?

5 A I believe Vickie Cleveland was there and I'm
6 not sure who else.

7 Q You note in your email that you would prepare
8 a presentation for the collaborative. Did you do that?

9 A I did.

10 MS. GARDNER: I'd like to ask that this
11 document be marked as Plaintiff's Exhibit 491.

12 (Plaintiff's Exhibit 491 was marked for
13 identification.)

14 (Witness reviewing document.)

15 BY MS. GARDNER:

16 Q Ms. Wolf, you have been handed what's been
17 marked as Plaintiff's Exhibit 491. This is an email
18 from you to Nakeba Rahming dated November 16, 2017.
19 Vickie Cleveland is also included in this email and the
20 subject is "PowerPoint for LEA Collaborative
21 December 7th on Consideration of Services."

22 There are several attachments to this email
23 that are consideration of services forms. The Bates
24 stamp on the first page of this document is GA00013170.

25 Do you recognize this email?

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1 A I do.

2 Q In this email, do you provide to Ms. Rahming
3 and Ms. Cleveland the presentation that you indicated
4 you would prepare for the LEA collaborative meeting?

5 A Yes.

6 Q I want to take a look at Page 3 of that
7 presentation. This slide is titled Roll Out, correct?

8 A Correct.

9 Q Then beneath that it says, "Fall of 2018" and
10 it also says, "Some programs to pilot beginning in
11 January of this year."

12 Do you see that?

13 A Yes.

14 Q Were the consideration of services forms
15 piloted by some GNETS programs before they were fully
16 rolled out in the fall of 2018?

17 A Yes.

18 Q That pilot began in January of 2018?

19 A Yes.

20 Q How many programs participated in the pilot?

21 A I don't recall.

22 Q Did GNETS of Oconee participate?

23 A Yes.

24 Q What happened after the initial pilot phase?

25 A After the pilot phase, we came, I believe we

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1 came back together again in the summer and just went
2 through everything again with the directors. And that
3 was our rollout in the fall.

4 Q Were there changes made to the consideration
5 of services form between the end of the pilot phase and
6 when they were rolled out in the fall of 2018?

7 A I believe there was just some minor changes in
8 typos and formatting and things like that.

9 MS. GARDNER: I'd like to ask that this
10 document be marked as Plaintiff's Exhibit 492.

11 (Plaintiff's Exhibit 492 was marked for
12 identification.)

13 (Witness reviewing document.)

14 BY MS. GARDNER:

15 Q Ms. Wolf, you have been handed Plaintiff's
16 Exhibit 492. This is an email thread between Nakeba
17 Rahming, you, Whitney Braddock, Steve Derr and Vickie
18 Cleveland. The most recent email in the thread is an
19 email from Ms. Rahming to you, Steve Derr, Whitney
20 Braddock and Vickie Cleveland. The subject is "Re:
21 Consideration of Services - Revised" and that's sent on
22 December 11, 2017. The Bates stamp on the first page
23 of this document is GA00014016.

24 Do you recognize this email thread?

25 A Yes.

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1 Q I want to start at the bottom with the email
2 from you to Steve Derr, Whitney Braddock and Nakeba
3 Rahming. In it you say, "I wanted you each to take a
4 look at the consideration of services student
5 information packet based on the discussion yesterday
6 about insuring that the EBD part is removed. Please
7 review the highlighted area and let me know what you
8 think. Should we keep in those 45 criteria and just
9 not mention EBD or take that part out completely?"

10 Do you see that?

11 A Yes.

12 Q What was the discussion about ensuring the EBD
13 part is removed?

14 A There were several GNETS programs that have
15 served other disabilities, and it was felt that it was,
16 placement consideration was up to the IEP team. So
17 they felt that the disability of EBD should be removed.

18 Q Had that been included in a form as criteria?

19 A I believe so, yes.

20 Q So in your email, you are inquiring whether
21 you should keep certain criteria that support the
22 characteristics of EBD but just not mention EBD
23 specifically?

24 A Correct.

25 Q Nakeba Rahming responds to your email. In

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1 here she says, "I do like the new version and the
2 bullets that support the characteristics of EBD."

3 Do you see that?

4 A Yes.

5 Q What was the ultimate conclusion on this
6 question?

7 A That I believe that we would keep out the EBD
8 and allow, ensure that the IEP teams are coming up with
9 the decision if someone that is not, doesn't have the
10 disability of EBD, that they can still benefit from our
11 program.

12 Q Did you keep in the criteria that supported
13 the characteristics of EBD?

14 A I believe we did, yes.

15 MS. GARDNER: I'd like to have this marked as
16 Plaintiff's Exhibit 493.

17 (Plaintiff's Exhibit 493 was marked for
18 identification.)

19 (Witness reviewing document.)

20 BY MS. GARDNER:

21 Q Ms. Wolf, you have been given Plaintiff's
22 Exhibit 493. This is an email from you to Vickie
23 Cleveland dated June 20, 2018 with the subject
24 "Finalized Consideration of Services Forms." It
25 contains several attachments, the GNETS Confidential

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1 Student Information Packet as of June 20, 2018; the
2 GNETS Request for Consultation as of June 20, 2018; the
3 GNETS Services Flow Chart; and Guidance for GNETS
4 Placements as of June 20, 2018. The Bates stamp on the
5 first page of this document is GA00327280.

6 Do you recognize this email?

7 A I do.

8 Q Am I correct that in this email you write to
9 Vickie, "I made all of the changes we discussed
10 yesterday regarding the Consideration of Services
11 forms. Please have the DOE attorney look them over and
12 let me know if changes need to be made. When I get the
13 go-ahead from you, I will post them on the GNETS
14 director's notebook."

15 Is that right?

16 A Correct.

17 Q What's the GNETS director's notebook?

18 A The GNETS director's notebook was a
19 centralized resource for GNETS directors where they can
20 access the rule, these forms, any resources shared
21 among our programs. It was on Microsoft 365,
22 director's notebook, but it wasn't really utilized the
23 way we had intended, so.

24 Q When you say it wasn't utilized in the way you
25 had intended, what do you mean by that?

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1 A We just -- it kind of fizzled out. It wasn't
2 something that was around for very long.

3 Q Was it the equivalent of like a Sharepoint
4 site, something like that?

5 A Yes.

6 Q So the time that you sent this email, this
7 would have been after the pilot phase for the
8 consideration of services forms had ended?

9 A Correct.

10 Q Did the DOE attorney look the documents over
11 as you requested?

12 A I don't know.

13 MS. GARDNER: I'd like to have this marked as
14 Plaintiff's Exhibit 494.

15 (Plaintiff's Exhibit 494 was marked for
16 identification.)

17 (Witness reviewing document.)

18 BY MS. GARDNER:

19 Q You have been handed Plaintiff's Exhibit 494.
20 This is an email from you to Vickie Cleveland dated
21 June 21, 2018 with the subject "Consideration." The
22 Bates Stamp on this email is GA00327446.

23 Am I correct that here you are following up
24 with Ms. Cleveland to request that she let you know
25 when, quote, "legal has reviewed the consideration

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1 forms"?

2 A Correct.

3 Q And here you say, "Directors are chomping at
4 the bit to get them"?

5 A Correct.

6 Q Correct that you were waiting to release the
7 consideration of services forms to the GNETS directors
8 until you heard that legal had reviewed those forms?

9 A Yes.

10 Q By legal here, you are referencing the
11 Department of Education's attorneys?

12 A Yes.

13 Q The State Department of Education's attorneys?

14 A Correct.

15 MS. GARDNER: I'd like to have this marked as
16 Plaintiff's Exhibit 495.

17 (Plaintiff's Exhibit 495 was marked for
18 identification.)

19 (Witness reviewing document.)

20 BY MS. GARDNER:

21 Q You have been handed Plaintiff's Exhibit 495.
22 This is an email from you dated July 16, 2018. The
23 subject is "Consideration of Services Forms Are Ready."
24 It is sent to a distribution list of various folks and
25 the Bates stamp on the first page of this document is

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1 GA00328367.

2 This is an email from you to the other GNETS
3 directors; is that correct?

4 A Yes.

5 Q Am I correct that in this email you are
6 relaying to them that Vickie Cleveland has given you
7 the go ahead for the consideration of services forms?

8 A Yes.

9 Q So you heard back from Ms. Cleveland and she
10 said that you could release the consideration of
11 services forms to the other GNETS directors?

12 A Yes.

13 Q In here you note that those forms could be
14 found on the GNETS directors' notebooks, correct?

15 A Correct.

16 Q To what extent have the consideration of
17 services forms that you provided at this time been
18 changed from 2018 to now?

19 A Very minor changes, and I believe in one case
20 there was some demographic data that was inadvertently
21 left off. And so that was included. Minor changes.

22 Q When those minor changes have been made, are
23 the forms updated to reflect kind of the date that they
24 were updated?

25 A I don't believe so.

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1 things you used the portal for and you were discussing
2 the GNETS grant application and the therapeutic
3 services log.

4 A Yes.

5 Q You also mentioned that you would use the
6 portal to communicate secure information on students to
7 the State Department of Education?

8 A Correct.

9 Q I'm wondering what kind of secure information
10 on students were you referring to?

11 A If they require us to send any student
12 information that would have their GTID or any personal
13 identifiers on there, then we would have to send it
14 through the portal.

15 MS. GARDNER: I'd like to have this document
16 marked as Plaintiff's Exhibit 497.

17 (Plaintiff's Exhibit 497 was marked for
18 identification.)

19 (Witness reviewing document.)

20 BY MS. GARDNER:

21 Q You have been handed Plaintiff's Exhibit 497.
22 This is an email thread between you and Nakeba Rahming.
23 The most recent email in the thread is an email from
24 you to Nakeba Rahming on November 18, 2016 with the
25 subject "Re: Four-year-olds." The Bates Stamp on the

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1 first page of this document is GA00042505.

2 Do you recognize this email thread?

3 A Yes.

4 Q I want to start with the earliest in time
5 email which appears on the second page. Am I correct
6 that you wrote to Nakeba Rahming saying that you had a
7 four-year-old not turning five until May and you write,
8 "Since the new rule isn't in effect, can we serve him
9 in our GNETS classroom? Just making sure."

10 Do you see that?

11 A Yes.

12 Q When you say the new rule isn't in effect,
13 what rule are you referring to?

14 A Just the GNETS rule.

15 Q Am I correct in understanding that there was a
16 new GNETS rule that eventually went into effect in
17 2017?

18 A Yes.

19 Q Is that the rule that you are speaking of at
20 this time?

21 A Yes.

22 Q It hadn't yet been enacted?

23 A Correct.

24 Q Since it hadn't yet been enacted, you were
25 asking Ms. Rahming if you could serve a four-year-old

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1 at GNETS of Oconee?

2 A Yes.

3 Q Was it your understanding that the new rule
4 would prevent a student that age from being served in
5 GNETS?

6 A It was.

7 Q At the time you made this inquiry, were you
8 already serving the four-year-old or was this a new
9 student?

10 A I can't recall.

11 Q What was Ms. Rahming's response to you?

12 A She responded, "That's correct. The new age
13 will not take effect until the new rule is initiated."

14 Q So she confirmed that GNETS of Oconee could
15 serve a four-year-old because the new rule hadn't yet
16 taken effect?

17 A Correct.

18 Q Did GNETS of Oconee serve that four-year-old
19 you were writing about?

20 A I believe so, yes.

21 MS. GARDNER: I'd like to have this marked as
22 Plaintiff's Exhibit 498.

23 (Plaintiff's Exhibit 498 was marked for
24 identification.)

25 (Witness reviewing document.)

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1 BY MS. GARDNER:

2 Q You have been handed Plaintiff's Exhibit 498.
3 This is an email thread involving Nakeba Rahming, you
4 and Brooke Cole. The most recent email is from Nakeba
5 Rahming to you with a copy to Brooke Cole dated
6 August 2, 2016. The subject is "Re: Jasper County,"
7 and the first page of this document is Bates stamped
8 GA00781443.

9 Do you recognize this email thread?

10 A I do.

11 Q If you look at the bottom of the page, the
12 first in time email, am I correct that you reach out to
13 Ms. Rahming on August 1, 2016 and you say, "Good
14 evening, Nakeba. Can Elam Alexander Academy serve
15 Jasper County students even though Jasper County falls
16 under GNETS of Oconee catchment?"

17 A Yes.

18 Q What prompted this question?

19 A Jasper County wanted to serve a student at
20 Elam Alexander Academy.

21 Q Is this the same student we discussed earlier?

22 A I believe so, yes.

23 Q That was a student that you said was
24 physically aggressive and there was some discussion
25 about whether that student would be better served at

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1 Elam Alexander?

2 A Yes.

3 Q What was Ms. Rahming's response to you?

4 A She said that Jasper County is in the
5 catchment area the for Oconee GNETS program and that
6 students will need to receive services in their service
7 area by the Oconee program or their local school
8 district.

9 And then another concern would be the
10 distance. Jasper County students would need to travel
11 to receive services at Elam.

12 Q So Ms. Rahming told you and Ms. Cole that Elam
13 Alexander could not serve Jasper County students,
14 right?

15 A That's correct.

16 Q Once a student arrives at GNETS of Oconee, are
17 they given any assessments to determine where they are
18 behaviorally?

19 A Not initially. Initially the parent is given
20 the strengths/difficulties questionnaire. If the
21 student is 11 to 17, they are given the
22 strengths/difficulties questionnaire so we can gauge
23 what the parent thinks. But we wait, we wait for a
24 period of time until we administer any behavioral
25 assessments because there is usually a honeymoon-type